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April 25, 2022

VIA ECF:

The Honorable Catherine C. Blake
United States District Judge
United States District Court
for the District of Maryland
101 West Lombard Street
Baltimore, Maryland 21201

Re: *Andrews v. Baltimore Police Department, et al.*,
Civil Action No. 16-cv-2010-CCB

Dear Judge Blake:

I write to provide you with an updated Joint Status Report on discovery in the above-referenced case pursuant to the Court's Paperless Order of November 23, 2021 and prior correspondence. *See* ECF Doc. 119.

Undersigned counsel continues to work with counsel for L3Harris Technologies ("L3Harris"), regarding the scope of a Rule 30(b)(6) deposition notice and submitted a new draft of the corporate representative deposition notice to counsel for L3 Harris last week. We believe the deposition of L3Harris's corporate representative will likely take place in the next 30 to 45 days.

We also plan to continue discussions with Assistant Attorney General Wendy Shiff regarding a Rule 30(b)(6) deposition of the State's Attorney's Office for Baltimore City and/or individuals relating to the Fourth Circuit's remand as to whether BPD had, at the time of its application for the Pen Register Order, any formal or informal policies, practices, or procedures that prevented BPD officers seeking a warrant or pen register/trap and trace order from stating to the reviewing magistrate that a cell site simulator would be used.

As we wrote in prior Status Reports, when counsel met and conferred on May 20, 2021, Baltimore Police Department and former Commissioner Kevin Davis' ("Monell Defendants") counsel, Natalie Amato ("Ms. Amato") and (former counsel) Mark Stichel agreed to discuss the number of depositions and deposition hours anticipated as necessary in this matter after certain depositions were taken, including the L3Harris deposition that has not occurred yet. However, the *Monell* Defendants have not agreed to a specific number of depositions or hours and hereby reserve the right to challenge any such averments on these issues. After the deposition of L3Harris, we will meet and confer with the *Monell* Defendants' and Individual Defendants' counsel to discuss

Honorable Catherine C. Blake
April 25, 2022
Page 2 of 2

a further discovery plan for the case. Should the Parties require Court intervention on this issue, the Parties will inform the Court.

On April 24, 2022, I circulated a draft of this letter to counsel for all defendants and Ms. Carroll. Counsel for the defendants and Ms. Carroll each have responded that they have no objection to the draft.

Should the Court have any questions or concerns, the Parties encourage the Court to contact any such Parties, as necessary.

Respectfully yours,

/s/ Michael A. Pichini

George S. Mahaffey Jr.
Michael A. Pichini

cc: Counsel of Record (via ECF)
Christina M. Carroll, Esquire (via mail)
Assistant Attorney General Wendy Shiff (via email)

Approved April 26, 2022
Catherine C. Blake
United States District Judge